

From: David Mandel
To: Judge Colleen Kollar-Kotelly
Date: 1/28/02 11:50am
Subject: Comments regarding Microsoft Antitrust/Settlement and Resolution

28 January 2002

Your Honor, Judge Colleen Kollar-Kotelly:

I've been involved in computing for most of my professional career.

- As a university faculty member specializing in mathematical data analysis and mathematical modeling in the 1970s and 1980s.
- As a government contractor specializing in Geographic Information Systems in the 1980s and 1990s.
- And currently as a project leader developing developing internet servers which are more secure and easier to use.
- I have also been active in the Open Source / Open Data movement starting in the 1970s.
 - I'm currently Technical Director of LinuxFund.org
 - and President of the Portland (Oregon) Linux/Unix Group

I use and love a number of Micro Soft products, and I often recommend Micro Soft products because I think some of their products are very good.

On the other hand, I am very concerned about monopolies in the computer industry; and I do think Micro Soft is a monopoly as the courts have already ruled. Moreover, I do not believe any of the proposed settlements are sufficient to keep Micro Soft from continuing it's unfair business practices. Indeed, now that things have pretty much been settled, Micro Soft seems to feel free to once again threaten companies and users who don't use Micro Soft products exclusively. At least, these are the rumors I hear.

For example, Micro Soft has been telling resellers to drop their Linux products or else they will only be allowed to handle certain Micro Soft products. As I understand, resellers selling Linux products will not be allowed to sell MS Office 2000 or the any of the Windows operating systems above Windows-XP. If this is true, this will hurt me and my employees very much as we build Linux server products.

As another example, Micro Soft now provides ISP services for Qwest DSL customers. Since Qwest changed to Micro Soft a number of things have changed. People keep coming to me saying that

they have been told that only MS Windows based computers will be supported on Qwest DSL. I have heard this from both Linux users and Apple users. Of course, this is non-sense. I assume that non-Windows computers will work just fine with Qwest DSL. They just won't be supported. However, Qwest (who is simply Micro Soft's proxy in this matter) is giving people the impression that they will have to change to MS Windows if they want to continue using Qwest; and of course they have little choice if they are in the middle of something like a one year contract for their DSL service.

Thank you for reading my comments. I hope you are able to recommend a settlement which will end Micro Soft's monopolistic practices, and allow everyone including Micro Soft to compete on a fair and equal basis.

Sincerely,
David Mandel
President
Portland Linux/Unix Group
1440 NE 59th
Portland, Oregon 97213
(360) 260-2066 at work
(541) 730-5285 cell

Also, Technical Director of LinuxFund.org which is an international group whose purpose is the raise funds to support innovative Open Source projects.

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David Mandel, Product Manager	http://www.Netule.com
Other Affiliations	
David Mandel	http://www.DavidMandel.com
Portland Linux/Unix Group	http://pdxLinux.org
LinuxFund	http://LinuxFund.org

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